

REPORT

To the Right Honourable the MINISTER OF LABOUR.

SIR,

1. I was appointed by you on 1st December 1966, under the provisions of the Conciliation Act 1896, to inquire into the causes and circumstances of the difference between the Film Artistes' Association on the one hand, and the British Film Producers' Association and the Federation of British Film Makers on the other hand, over the operation of Central Castings Limited.

2. In accordance with the terms of my appointment I have the honour to submit the following Report.

INTRODUCTION

3. I met the parties in private in London on 10th January 1967 to hear their evidence and contentions about the causes and circumstances of the difference which forms the subject of my terms of reference. The names of those people who spoke on behalf of the parties are set out in Appendix I to this Report. I visited the premises occupied by Central Castings Limited on 9th January 1967, and paid a short visit to Shepperton Studios Limited on 30th January 1967.

The Producers

4. The difference which led to the setting up of this Inquiry relates to the arrangements for allocating work for crowd artistes, stand-ins and doubles* performing as such in British feature films and those films produced for television series. Until 31st December 1966 the producers of these films were represented by the British Film Producers' Association and the Federation of British Film Makers. On 1st January 1967, however, the two organisations merged to form the Film Production Association of Great Britain, which I shall refer to hereafter as "the FPA". This new Association represents all but two of the British film producers engaged in the production of films of this kind.

The Union

5. Crowd artistes engaged in films of this kind are represented by the Film Artistes' Association, founded in 1927, which will be referred to hereafter as "the FAA" or "the union". The union has one full-time permanent paid official, the General Secretary. Membership of the union is obligatory for people seeking work as crowd artistes on films of the type mentioned in paragraph 4. The union stated that at the end of 1966 it had some 1,900 full members. The number

* As their name implies "crowd artistes" are employed to make up crowd scenes in films. "Stand-ins" play the part of principal actors during rehearsal. "Doubles" take the parts of principal actors during filming either at a distance or in the performance of special accomplishments. For convenience these will be referred to throughout the Report collectively as "crowd artistes".

usually increases to about 2,100 in the summer, when more filming takes place. A large proportion of the members of the union do not rely upon their earnings as crowd artistes as their sole, or even main, source of livelihood. Many of the members of the FAA are also members of other trade unions, notably British Actors' Equity Association, the Musicians' Union and the Variety Artistes Federation.

Central Castings Limited

6. Work for crowd artistes is allocated by an agency in Central London known as Central Castings Limited which was set up in October 1947 and is financed and directed by the FPA through the medium of a Board of Control as a non-profitmaking organisation. The day-to-day work of this agency is carried out by a General Manager and 12 staff.

The Joint Council for Crowd Artistes

7. All matters affecting the employment of crowd artistes employed by the FPA may be dealt with by the Joint Council for Crowd Artistes which was set up originally in October 1947, and was reconstituted in March 1955. The Council consists of an independent Chairman appointed by you, 12 voting members appointed in equal numbers by the FPA and the FAA, and 2 non-voting members appointed by Central Castings. The objects of the Council as set out in its terms of reference are:

- (a) to secure the largest possible measure of co-operation between film producers and crowd artistes for the safeguarding of fair conditions of employment;
- (b) to secure recognition of mutual interests and obligations, to devise ways and means of settling any differences that may arise;
- (c) to secure organisation of film producers and crowd artistes and to resist the action of those unwilling to observe the agreed conditions of employment.

Studio Standard Agreement

8. The pay and conditions of employment of crowd artistes are covered by the Studio Standard Agreement made between the constituent members of the FPA and the FAA. Clause 22 of this agreement contains a procedure for dealing with disputes between the parties, which is set out in Appendix III.

The 1945 Court of Inquiry

9. Both Central Castings and the Joint Council were set up following the recommendations made by a Court of Inquiry appointed by one of your predecessors on 27th September 1944 to inquire into a dispute concerning the arrangements for the employment of crowd and small part artistes. At the time of that inquiry the recruitment of crowd artistes for the film industry was in the hands of two agencies, one of which was operated by the FAA. I am setting out in Appendix II to the Report a summary of the recommendations of this Court of Inquiry.

Operation of the Agency

10. All those seeking employment as crowd artistes are obliged to be members of the FAA. Persons wishing to be registered or re-registered at Central Castings

do so by personal interview which falls into two stages. In the first stage details of the applicant's name, address and telephone number are taken and he is given a registration card, a copy of the agency's rules, and certain other documents relating to the conditions of employment of crowd artistes. The registration card instructs crowd artistes to telephone the agency once a day to make known their availability for work. Otherwise they will be assumed not to be available. It is made clear to applicants that registration provides no guarantee of work. Those registering for the first time are required to pay a fee of 2/6d. The second stage of the interview is designed to collect detailed information about the physical appearance, special accomplishments, wardrobe and other features useful for casting purposes. This stage of the interview is conducted by one of the three officials of the agency who actually allocate work and are known as "casting officials". The information in respect of each applicant is recorded on a comprehensive form, which I propose to refer to as the "casting card". Photographs supplied by the applicant are also attached to the card which is then used by the casting officials for reference purposes in allocating work.

11. Central Castings approaches film producers as soon as it hears that they are beginning new work in order to obtain information about the numbers and types of crowd artistes likely to be required and the appropriate dates on which crowd scenes are to be shot. All producers are given a copy of a booklet which informs them that all crowd artistes must be hired through the agency and recommends that, whenever possible, producers should notify the agency by 4.30 p.m. of their requirements for the following day.

12. The day-to-day casting of crowd artistes is carried out in a room occupied by the three casting officials which is separated from that part of the agency to which the general public has access. It is also occupied by 2 operators on the telephone switchboard which has 22 lines, including 14 lines for use by crowd artistes and 5 lines for use by producers.

13. Casting officials are expected to have a knowledge of both the appearance and other principal attributes of large numbers of those registered with the agency. To assist them in this work they sit facing a very large board on which the names of all those registered with the agency are set out in alphabetical order. The names of those who are already working in the studios are suitably marked on this board. The casting officials have available to them the casting cards of all those registered with the agency, together with registers compiled from these cards setting out the names of all those with special attributes or qualifications, such as an ability to speak foreign languages. The casting cards of new applicants are placed in a prominent position near to the casting officers so that they become familiar with the details of these people.

14. The casting officials receive on the telephone the requirements of producers for crowd artistes. They proceed to fill these vacancies from among those registered. Each film is handled by one official. Throughout the day, but particularly between 5 p.m. and 7 p.m., crowd artistes seeking employment enquire by telephone to see if there is any suitable work available. The enquiries are taken by one of the telephone operators who calls out the names of the persons concerned to the casting officials. When a casting official hears the name of a person he regards as suitable for a current vacancy he calls out "Hold the line" and then proceeds to give the person details of the job. When the calling of a name

evokes no response from a casting official the telephone operator, after waiting a few seconds, tells the caller "Nothing suitable at the moment". Applicants may and do telephone for work on more than one occasion during the day in the hope that fresh work for which they are suitable may have been notified by producers. The arrangements are such that casting officials may be called upon to indicate whether they have work for a crowd artist who is making an enquiry at the same time as they are taking down particulars from producers of demands for the following day. If the casting officials are unable to meet demands for work from amongst crowd artistes who telephone the agency for work, they approach suitable candidates by telephone. In certain cases when people are required who cannot be provided from amongst those registered, Central Castings seeks the assistance of commercial agencies.

HISTORY OF THE DISPUTE

15. Because of dissatisfaction with the manner in which Central Castings performed its role, the FAA informed the FPA* on 26th April 1966 that with effect from 26th October 1966 its members would be instructed to withdraw their services from Central Castings and that film producers would then have to engage crowd artistes through the union.

16. On 11th July 1966 a meeting of the Joint Council for Crowd Artistes was held at the request of the FPA to consider the situation. This was the first meeting held by the Council since 24th October 1956. At this meeting the Chairman proposed that:

- (i) any particular cases of difficulty affecting individual artistes should be examined jointly by the union and the FPA and, if possible, settled without further reference to Council;
- (ii) the union and the FPA should consider the possibilities of arranging a greater degree of personal contact between the staff of Central Castings and artistes; including restoration of some of the facilities (see paragraph 24) which had been withdrawn;
- (iii) the union and the FPA should each prepare a statement of any specific proposals for modification of the control and direction of Central Castings which they considered to be desirable.

Both sides agreed to examine these suggestions and discuss them at a further meeting of the Council.

17. In a letter dated 6th September 1966, the FPA suggested to the union that the differences between them might be considered under the conciliation procedure set out in the Studio Standard Agreement (see paragraph 8). The union accepted this in a letter to the FPA dated 14th September 1966.

18. Before the matter was dealt with under the conciliation procedure, however, the Joint Council met again on 22nd September 1966 to consider the proposals put forward by its Chairman at the meeting on 11th July 1966 (see paragraph 16). The FPA undertook to consider restoring certain facilities for crowd artistes if the union considered that this would bring about a greater degree of personal contact between the artistes and the casting officials of the agency.

* The FPA did not exist at this time, but for convenience either or both of its two constituent bodies will be referred to under this title throughout the remainder of the Report.

It also suggested that regular monthly meetings be held between the General Secretary of the FAA, the Director of Labour Relations of the FPA and the General Manager of Central Castings. The FPA was not prepared to agree to the union's suggestions that it should be represented on the Board of Control of Central Castings and that the agency should be run as a profit-making organisation which could provide revenue for a welfare fund for crowd artistes. At the conclusion of the meeting the Chairman said that he thought the time was opportune for the organisation of Central Castings to be reviewed, and he expressed the hope that the difficulties between the two sides might be resolved at a meeting to be held on 27th September 1966 arranged under the conciliation procedure set out in the Studio Standard Agreement.

19. At this meeting the parties were unable to reach a settlement of their differences and they agreed to refer the matter to your Ministry. Your Chief Conciliation Officer met the parties on 31st October 1966, but a settlement was not reached.

THE MAIN CONTENTIONS OF THE PARTIES

20. The FAA stated that it catered for all crowd artistes employed in the production of all feature and certain television films. Its membership fluctuated considerably in size between summer and winter months and was subject to high rates of turnover. It considered that a membership of about 2,000 people was desirable to meet current demands for crowd artistes, and estimated that there were only 500-700 of its members available for employment at any one time. Only 300-400 of its members were solely dependent on this work for their livelihood.

21. The FAA stated that until Central Castings was established in 1947 the allocation of work for crowd artistes was handled by two agencies. One of these had been operated by the FAA itself since 1932 but its activities had greatly diminished following the establishment of Central Castings. The union had continued, however, to license itself as an agency and to appoint a casting director. Recently it had been able to cast some of its members for small commercial parts and, in one particular case, for a large crowd required by a foreign producer on location who was not bound by the agreements between the FPA and the FAA.

22. The other agency which had operated until it was superseded by Central Castings, had been an independent commercial organisation known as United Casting Offices Limited. In the union's view this agency had been operated in an extremely efficient and sympathetic manner.

23. The FAA stated that its principal criticisms of Central Castings were that it was inefficiently run and did not distribute the work available for crowd artistes in an equitable or fair manner. It gave details of a number of examples which it alleged supported these criticisms, and it also stated that the consensus of opinion amongst its membership was that there had been, and might still well be, instances of corrupt practices in the allocation of work by the agency. It admitted, however, that despite the strength of this feeling it was not able to identify any recent instance of such practices which could be dealt with under the disciplinary arrangements operated separately by the union and the agency.

24. The union recognised that there could not be a perfectly fair distribution of work amongst all its members but it felt that the present methods by which

work was allocated had become increasingly cold and impersonal. It mentioned that until 1949 a clubroom, games room and canteen had been provided by Central Castings at the agency for the use of crowd artistes which had provided useful opportunities for casting staff to deal personally with those seeking work. Union members found the agency's present arrangements for allocating work both frustrating and expensive. Many of those seeking employment felt obliged, in their own interest, to telephone the agency frequently between the hours of 5 p.m. and 7 p.m., when producers tended to notify their requirements for the following day. It was alleged that artistes often found it difficult to get through to the agency, particularly between 5 p.m. and 7 p.m. when the lines were jammed, and they were frequently kept waiting for long periods before they were told whether work was available. It was regrettable that crowd artistes most in need of work, and for whom work was hardest to obtain, were the people who felt obliged to make the most telephone calls to the agency.

25. The FAA alleged that the management of Central Castings had attempted to interfere in the union's internal affairs by distributing at its last Annual General Meeting leaflets purporting to show that the average earnings of crowd artistes were low because the union's recruitment policy led to an unduly large membership and so smaller shares of the work available.

26. The FAA stated that Central Castings was a monopoly because it was under the sole control of the FPA. It alleged that although it was supposed to serve the employers and the crowd artistes it did not act in the interests of the latter. It was argued that if it were essential for the allocation of work for crowd artistes to be handled by one side of the industry alone, it was better that it should be by the union because it could ensure that its members were more adequately and sympathetically provided for. It pointed out that both the National Association of Theatrical and Kine Employees and also the Association of Cinematograph, Television and allied Technicians alone allocated the work available to their members in the film industry.

27. The FAA stated, however, that the interests of crowd artistes could best be assured by allowing the union to share in the control of Central Castings through representation on its Board of Control. The union also suggested that the agency should become a profit-making organisation so that the profits obtained might be used to provide more adequate benefits for those crowd artistes who were in need.

28. The FAA stated that it had made abortive efforts at a number of meetings, both under the auspices of the Joint Council for Crowd Artistes and outside it, to persuade the FPA to improve the policies and practices of Central Castings. Therefore it had reached the conclusion that the Joint Council was not an effective means for it to influence the running of the agency.

The FPA

29. The representatives of the FPA explained in detail, both at the hearing and in the course of the visit I made to Central Castings, the methods used to match the needs of producers with the crowd artistes available. (An account of these methods has been given earlier in paragraphs 10-14.)

30. The FPA stated that crowd artistes were required to inform the agency by telephone once each day that they were available for work. A similar system was operated in Hollywood. The FPA could think of no better method of

establishing whether or not artistes were available for work, although it admitted that those artistes who telephoned most frequently had a better chance of securing employment.

31. The FPA did not accept the allegation made by the union that Central Castings operated inefficiently, and it contended that there was little or no unrest among the membership of the union. It had recently asked production companies for their views on the operation of the agency, and all but one had expressed satisfaction. The FPA considered that the present method of operation of the agency, although not perfect, worked well.

32. The FPA said that such allegations as had been made by the union and its members about corruption on the part of the officers of Central Castings had been received only after a long delay and in a vague form. Attempts had been made on more than one occasion to investigate these charges but no evidence to support them had ever been produced.

33. The FPA recognised that the work available for crowd artistes was not distributed evenly amongst all members of the FAA, but it claimed that this was inevitable because there were variations in the demands for different types of artiste. Film producers filled between 7%–10% of all vacancies arising by naming the persons required and this also made for an uneven distribution of work. The FPA argued, however, that producers had a right to select the crowd artistes best suited to their particular requirements if they so wished. It was alleged that in recent months the problem of allocating work had been aggravated by the failure of the FAA to notify the agency of people who had ceased to be members of the union.

34. The FPA accepted the statement by the FAA that the National Association of Theatrical and Kine Employees and the Association of Cinematograph, Television and allied Technicians supplied labour to the film producing industry. It stated, however, that neither of these unions placed more than a handful of its members each week. It would not be possible, in its view, for a union to make similar arrangements for crowd artistes for whom, on average, 200 vacancies occurred each day.

35. The FPA was not prepared to accept that the FAA should be represented on the Board of Control. Producers financed the whole cost of the agency by making a contribution on the basis of a proportion of the earnings of the crowd artistes supplied to them by the agency, and it was right that they alone should control the way in which their money was spent. The FPA could see no reason why Central Castings should be responsible for provision of welfare arrangements. The Board of Control of Central Castings had closed the clubroom facilities, which had been supported financially by producers, in 1949 because the agency had been running at a considerable loss. The FPA did not think that the existence of these facilities had necessarily led to better casting.

36. The FPA claimed that the appropriate way for the FAA to influence the method of operation of Central Castings was through the Joint Council for Crowd Artistes, as had been recommended by the Court of Inquiry in 1945. The FPA had continuously attempted to keep this Council in operation and it regretted that the officials of the union had not seen fit to co-operate. It was stated that the FPA had offered to arrange regular meetings between its officials

and the General Secretary of the FAA to discuss points of difficulty, but there had been no response to this offer from the union.

37. The FPA strongly denied that Central Castings had attempted to interfere in the internal affairs of the union by circulating leaflets at its last Annual General Meeting. These leaflets had been prepared by Central Castings Limited in response to requests it had often received about the average earnings of crowd artistes and copies of it were freely available at the agency to anyone who wished to take them. In its evidence the FPA submitted the table of earnings of crowd artistes upon which the leaflets had been based, and this is set out in Appendix IV.

CONCLUSIONS AND RECOMMENDATIONS

38. The greater part of the evidence and contentions that were put to me by the FAA in the course of my Inquiry sought to show that there was dissatisfaction with the way in which Central Castings carried out its responsibilities. The major allegations were that the agency had become inefficient from the point of view of both the producers and artistes and that it operated without a sufficiently sympathetic approach to the latter. The union also made a serious charge that the agency was believed to have tolerated corrupt practices in allocating work, and before I discuss the more general allegations, it is convenient to deal with this charge.

39. As has been pointed out in the preceding part of this Report the union admitted that it was unable to substantiate the charges of corruption which it said had been made by certain of its members. At the same time I was assured by representatives of the FPA that it had made a number of inquiries, both of a general nature, and into particular allegations, which had failed to produce any evidence that corruption had taken place. Both the FAA and Central Castings have strict rules to guard against the risk of corruption, which provide in both cases for the expulsion of any crowd artiste found to have indulged in it. I think it is extremely significant that so far as I can ascertain neither the FAA nor Central Castings has ever found it necessary to expel a film artiste under these rules.

40. I have received no evidence to support the general allegations made by the FAA and I have no hesitation, therefore, in rejecting the charge of corruption. I think it is likely that the allegations have been based upon rumours arising from dissatisfaction with the uneven distribution of work.

41. Before commenting on the efficiency of Central Castings, I think it is important to indicate the nature of the particular problem it has to deal with, and which would have to be dealt with by any other organisation set up in its place. The agency has to fill vacancies notified at an average rate of 200 per day, or, when filming is at its peak, at a rate greatly in excess of this and, possibly as high as 600 per day. Because of the nature of the work producers are usually unable to inform the agency of their precise requirements until the day, and sometimes the evening, before the artistes are required. These vacancies have to be filled from amongst the membership of a union, with a high rate of turnover, which at present numbers some 2,000 people, only a small proportion of whom regard the work as their main source of livelihood. The position is further complicated because producers often require artistes with particular character-

istics or abilities which in many cases may be possessed by only a relatively small proportion of the membership of the F.A.A. Finally, the total amount of work available for crowd artistes has been declining in recent years.

42. This is an over-simplification of the task which faces the agency, but it should be clear from what I have said that in carrying out this task it has to attempt to reconcile a number of factors which collectively rule out the possibility of available work being allocated on a fully equitable basis, in the sense that all artistes are given equal shares of work. This is a fact which was accepted by both the F.P.A. and the executive of the union. In these circumstances it is not a matter for surprise that dissatisfaction has arisen amongst crowd artistes. The point to which I need to direct my attention, is whether, and if so to what extent, the difficulties that I have mentioned have been unnecessarily aggravated by the manner in which Central Castings now operates.

43. I wish to record straightaway that I gained the distinct impression that the Manager of Central Castings, whom I met on three occasions, had a clear and sympathetic understanding of his responsibilities to the producers and to crowd artistes, and had an evident desire to make the agency as effective as possible as an instrument for allocating work within the limitations imposed by the factors mentioned in the preceding paragraph. Nevertheless, I have formed the opinion that despite the evident good-will of the Manager and his staff there are deficiencies in the working procedure of the agency which have tended to increase the dissatisfaction amongst crowd artistes.

44. There are in my opinion two serious defects in the present system. First, the register of crowd artistes held by Central Castings has not been kept up to date. It is defective both in regard to known size (estimates given to me varied between 1,900 and 2,470) and also in regard to knowledge of artistes' qualifications and experience. It was admitted at the hearing that the big board which faces the casting officials and displays about 2,400 names was of little value as a means of identification either of types or of availability. I am convinced that, in practice, the casting officials have no confidence in this board and that they do not use it to any extent to assist them in the filling of vacancies. Secondly, there is a lack of advanced planning on the part of Central Castings in selecting crowd artistes for employment. As described in paragraph 14 of this Report, by far the bulk of vacancies are notified and filled each day during the peak hours of 5 p.m. to 7 p.m. On a busy evening casting staff have to work under intense pressure during these hours. They have to deal with orders coming to them on the telephone and, at the same time, have to make rapid mental assessments of the suitability of crowd artistes who are waiting on other telephone lines enquiring about employment. An additional complication is that the artistes in question, though perhaps quite unsuitable for vacancies currently being notified, are well-fitted to fill some of the orders accepted earlier in the evening. All this has to be sorted out mentally by the casting staff within a few seconds, otherwise the caller will ring off having been told by one of the telephone operators "Nothing suitable at the moment". It seemed clear to me that, on a busy evening, the casting staff are forced to make "snap" assessments of suitability and often have to select artistes whose names come readily to their minds for one, or more, of the following reasons:

- (i) the artiste has telephoned at precisely the right moment. A person telephoning at, say, 6 p.m. could be lucky whereas one doing so ten minutes earlier

would have enquired just too soon. The following evening the exact opposite might happen ;

- (ii) the artiste's particulars are near at hand because he has registered within the past two months (see paragraph 13);
- (iii) the artiste has just finished one engagement and is known to have become available once again.

It is not surprising that placing action operated in this way can become the object of criticism—particularly in a profession where one client can feel, often with good cause, that he was as suitable for a job as the client who gained the selection.

45. Turning now to the improvements that might be made to the existing arrangements there appear to be two major principles that should be borne in mind. First, the circumstances that necessarily rule out a fully equitable distribution of work amongst all crowd artistes are likely to continue. Secondly, improvements which could be introduced into the organisation of Central Castings have to be assessed in the light of both the benefits that they bring as well as of the additional costs that the industry would have to bear. These are complex matters which require detailed and expert study by both sides of the industry. I recommend that such study should include the consideration of the following improvements :

- (i) a complete overhaul of the register of crowd artistes to ascertain how many on the present list are, in fact, still desirous of obtaining employment in that field. The FAA can assist materially here by being more assiduous than of late in informing Central Castings of artistes who have ceased to be members of the union ;
- (ii) crowd artistes who have not visited the agency for a long time and who are, consequently, not known personally to the casting staff should be invited to attend for interview and to bring with them a recent photograph ;
- (iii) there is probably scope too for revising the method of recording artistes' qualifications and for classifying and grouping artistes into one or more categories, e.g. those with extensive wardrobes, those particularly suited to fill specific roles ;
- (iv) action as suggested above would, *inter alia*, assist Central Castings in getting more up-to-date knowledge of those crowd artistes who are wholly or mainly dependent on the work for their livelihood. The Court of Inquiry which reported in 1945, recommended that such artistes should receive preferential treatment. I concur with this view, but I did not get the impression that Central Castings does very much to achieve this end ;
- (v) film companies should be asked to notify their requirements early in the day. I readily understand that this is not going to be easy, or even practicable, on many occasions, but even if precise numbers cannot be given there must surely be some instances where a general idea of types and approximate numbers can be conveyed, thus enabling Central Castings to do some preliminary selection in an unhurried atmosphere ;
- (vi) crowd artistes should be reminded that they need not telephone more than once a day. As long as they can indicate how they can be contacted, e.g. by telephone at home, there is no point in repeated calls. I was told that many artistes telephone five or six times a day. Not only is this an unreasonable expense, as was pointed out by the union, but it is bound to aggravate

the feeling of frustration and add materially to the harassing of casting officials at the times of peak pressure already mentioned. If Central Castings could bring about an improvement in this way, it would become much easier for the casting officials to accept orders over the telephone and to make a balanced selection unhampered by the necessity to listen to telephone operators calling out the names of artistes enquiring for work.

In my view, the Board of Control would do well to consider engaging a firm of business efficiency consultants to assist them in assessing the costs and benefits to be gained by making improvements in the organisation of Central Castings, including those I have suggested above.

46. I have set out these suggestions in some detail because I consider that they should be useful in improving the way in which work is allocated. One effect of this should be that the officials of Central Castings would be in a position to allocate the work available more fairly amongst crowd artistes, because they should be able to carry out their duties in a less hurried atmosphere. The fact has to be faced, however, that improvements of this kind cannot in the existing circumstances of the industry, bring about a perfectly equitable allocation of work. For the reasons mentioned in paragraphs 41 and 42 many crowd artistes must continue to expect that their services will seldom be required.

47. As I have mentioned already the FAA argued in the course of my Inquiry that a desirable improvement in the methods by which work for crowd artistes was allocated could be achieved if it was allowed to participate more fully in the work of allocation. In its extreme form this view was put forward in the suggestion that the FAA should take over entirely the responsibility for this work by expanding the functions as an agency which it had carried out before Central Castings was established in 1947. It is true that the union has continued to license itself as an agency and that it has continued to find work for small numbers of its members from time to time. There are, however, several objections to this proposal. First, this matter was closely examined by the Court of Inquiry which reported to your predecessor in 1945 which decided that it was right that the control of the arrangements for allocating work for crowd artistes should be in the hands of the producers subject to the provision of joint consultation with the FAA. I see no reason for altering this view, nor was any convincing reason put to me by the union in the course of my Inquiry. The second objection concerns the ability, in practical terms, of the union to provide the organisation necessary to ensure that the needs of the producers, which are of major importance both to the industry and the artistes, are met efficiently. The FAA has some 2,000 members, the great majority of whom, as is illustrated in the table in Appendix IV, do not derive a living from this work and cannot be expected, therefore, to meet the expenses involved in running an agency of the size and complexity necessary to handle this work. I feel satisfied, therefore, that there are insuperable difficulties in the way of this proposal.

48. An alternative proposal put forward by the FAA was that it should be represented on the Board of Directors which controls Central Castings. I have mentioned already that the FPA strongly opposed this suggestion on the grounds that as producers provided the money for operating the agency, they alone should decide how their money should be spent. I support this view.

49. I have been influenced in reaching this view by the conviction that the proper medium through which the FAA should assist in the control of Central

Castings is the Joint Council. This Council was established, following the recommendation of the Court of Inquiry in 1945, with the avowed object of regulating the employment of crowd artistes. Unhappily the Council, although it started briskly enough, fell into disuse and, in fact, did not meet at all from 1956 until 1966 when two meetings were held in July and September to discuss the various items of disagreement that have led to the setting up of this Inquiry. It is, in my opinion, a matter of great regret in view of the difficulties which have arisen between the parties, that both of them allowed this important body to fall into total disuse for a period of ten years. I am told by the FAA that it had long ago lost faith in the Council because its recommendations concerning the operation of Central Castings never appeared to have any effect. It is not practicable at this time to ascertain to what extent this is true, but in any case it is not now important. What now matters is that both the FAA and the FPA should each determine to make a whole-hearted effort to mould the Joint Council into an effective instrument of control. I found it encouraging that at the hearing the FPA pledged itself without reserve to this end. In the context of the matters referred to me there are already a number of issues which the Council should examine urgently. One of them, to which I have referred in paragraph 45, is the extent to which it is desirable that improvements should be introduced into the procedures used by Central Castings. Another matter is the extent to which existing dissatisfaction amongst crowd artistes could be reduced by bringing the size of the membership of the union more closely in line with the likely future requirements for employment. A third matter is the need, which the FAA claimed to exist, for the provision of welfare and social benefits for crowd artistes.

50. I noted in the course of my Inquiry that the terms and conditions of employment of crowd artistes have been settled outside the Joint Council. I recommend that urgent consideration should be given by both sides to bringing these matters within the ambit of the Council. Such an extension would help give new life to the Council and enable it to cover comprehensively not only the work of Central Castings but also the wider aspects of employment set out in the Studio Standard Agreement between the producers and union.

51. The final matter to which I need refer is the allegation by the union that the FPA had sought to interfere in the union's internal affairs by distributing leaflets at its last Annual General Meeting. The FPA accepted that it had prepared the leaflet to which the union had referred in response to numerous enquiries it received from crowd artistes for information about average earnings, but denied hotly that it had tried in any way to distribute copies of it at the Annual General Meeting. I accept this explanation, and I think that the whole incident is of significance only because it is indicative of the tension which has grown up between the parties.

52. In conclusion I wish to record my warm appreciation of the assistance I received from the Secretaries to this Inquiry, Mr. R. I. Armitage and Mr. D. J. Sullivan, both in the conduct of my Inquiry and in the preparation of this Report.

B. M. EVANS

R. I. ARMITAGE
D. J. SULLIVAN

} *Joint Secretaries*

15th February 1967.

APPENDIX I

The following persons represented the parties at the hearing on 10th January 1967.

The Film Artistes' Association

- Mr. S. Brannigan — General Secretary
- Mr. G. Jordon — Chairman
- Mr. A. Castleton — Member of the Executive Committee
- Mr. L. Hooper — Member of the Executive Committee
- Mr. T. Mulcahy — Member of the Executive Committee
- Mr. A. North — Member of the Executive Committee
- Mr. R. Schock

The Film Production Association of Great Britain

Sir Charles Evans, KCB, CBE, DSO, DSC.—Vice-President of FPA and
Chairman of the Board of
Control of Central Castings.

Mr. E. G. Derrington—Director of Labour Relations of FPA and Director
of Central Castings.

- Mr. A. W. Filson —Director of FPA
- Mr. K. W. Drury —Director of Central Castings
- Mr. B. J. Kingham —Director of Central Castings
- Mr. R. Lennard —Director of Central Castings
- Mr. T. White, MBE —Director of Central Castings
- Mr. F. T. Kennedy —General Manager of Central Castings
- Mr. S. E. Honess
- Mr. H. Mason

APPENDIX II

The Court of Inquiry into the Existing Arrangements for the Employment of Crowd Artistes in the Film Making Industry, 1945

The Court of Inquiry was appointed on 27th September, 1944, with the following terms of reference:

"To inquire into the matters in dispute between the members of the Film Artistes' Association and the British Film Producers' Association with particular reference to the existing arrangements for the employment of crowd or small part artistes and to report thereon."

The matters in dispute centred around the union's desire that there should be a "closed shop" and that only its own members should be permitted to work as crowd artistes, and the desire of the FPA to improve the discipline amongst crowd artistes at the film studios.

The Court of Inquiry reported to the Minister of Labour on 8th January, 1945, and made recommendations which may be summarised as follows:

- (i) The existing position with regard to the employment of crowd artistes should be brought to an end as soon as new arrangements could be made.
- (ii) There should be some measure of protection for regular crowd artistes attempting to make their livelihood from this work. The Court recognised the casual nature of this form of employment but did not support the view implied by the FPA that the work should remain as catch employment open to all comers. It thought that this protection might be brought about by a Joint Council through which a stable and satisfactory system to meet the needs of the industry might be established.
- (iii) Crowd artistes should be recruited and engaged through a single agency set up under the rules of the Joint Council to act as the sole agency for the employment of these people. The Court did not favour the practice of the union charging its members commission for finding them work whilst fulfilling its function as an agency.
- (iv) A solution to the claim of the union to regulate entry into the industry by means of a "closed shop" could and should be found without the Court making any formal pronouncement either for or against the principle of the closed shop in its application to crowd artistes.
- (v) A formally constituted Joint Council should be established in the industry to provide a basis for better understanding and co-operation between the producers and crowd artistes in all matters affecting their common interest. The Court recommended that the objects of the Joint Council should be—
 - (a) to secure the largest possible measure of co-operation between film producers and crowd artistes for the safeguarding of fair conditions of employment;
 - (b) to secure the recognition of mutual interests and obligations, to devise ways and means of settling any differences that may arise;
 - (c) to secure organisation of film producers and crowd artistes and to resist the action of those unwilling to observe the agreed conditions of employment;

and that it should consist of 12 members (6 representatives from each side of the industry) and an independent Chairman nominated by the Minister of Labour and National Service. It recommended that it should meet monthly and that resolutions should not be declared carried unless a majority of members from both sides of the industry were in favour of them. A register was to be kept by the Council of approved film producers and approved crowd artistes, and if any question arose on the registration or engagement of a crowd artiste or on whether the terms and conditions of employment contained in an agreement approved by the Council were being fulfilled, or on any other matter in connection with the employment of a crowd artiste this, if not settled, was to be referred to the Council for decision.

- (vi) The FPA should provide, maintain and control a Central Casting Bureau under the guidance of and in close co-operation with the Joint Council. The Court emphasised that film producers were to be the sole judges of the suitability of the crowd artistes required by them, but that the Bureau, in meeting the demands of producers for crowd artistes should give preference to those artistes who make work at the studios their regular occupation and means of livelihood.

APPENDIX III

Studio Standard Agreement between the British Film Producers' Association, the Federation of British Film Makers' and the Film Artists' Association.

Clause 22: Conciliation Procedure

The following procedure shall be observed and be carried out by the Associations, the Associates, and the Union and the members:—

- (i) Difficulties or disputes arising shall be referred by the Shop Steward properly appointed and/or members concerned, to the notice of the Assistant Director who shall refer to the Production Manager matters requiring a decision. If of an urgent nature, this shall be done immediately; if not urgent, then at the end of the day or period; failing satisfaction;
- (ii) The Shop Steward and/or the members concerned shall refer the matter to the whole-time trade union official of the Union and such procedure may be adopted alternatively for section (i) above; if agreement is not reached;
- (iii) The whole-time trade union official of the Union shall refer the matter to the Management at the Studio; at the next stage;
- (iv) The whole-time trade union official of the Union and/or the Associates shall refer the matter to the Associations; if not resolved;
- (v) A joint conciliation meeting of representatives of the Associations and of the Union shall (whenever possible) be held within 72 hours (Saturdays, Sundays and Declared Holidays excluded) of a request by either side. The meeting shall comprise a Chairman who shall be ordinarily appointed from either side alternatively and approximately but not necessarily equal numbers on either side of representatives who are members of the Associations and the Union respectively and who are not directly involved in the disagreement or dispute; on failure to agree:—
- (vi) Either party to the Agreement may refer the matter in dispute for adjudication upon and settlement by the Industrial Court under the provision of the Industrial Court Act 1919.
- (vii) Notwithstanding the provision of sub-section (vi) hereof, the dispute may, by agreement between the parties, be referred to such form of arbitration as shall be mutually agreed.
- (viii) The parties hereto bind and obligate themselves to accept as final and binding any decision or award of a Conciliation meeting, Industrial Court or arbitrator given in pursuance of the foregoing provisions.
- (ix) Pending the operation of the procedure set out above no stoppage of work or lock-out shall take place or be authorised and the guiding principle shall be that whatever practice or custom was in operation prior to the dispute shall be maintained during negotiations. This Clause is without prejudice to the right of either party to terminate this Agreement by proper notice.

APPENDIX IV

Earnings of Members of the FAA from Work Supplied by Central Castings

Earnings	Financial Year 1964/5				Financial Year 1965/6			
	MEN	%	WOMEN	%	MEN	%	WOMEN	%
Nil	229	19	157	18	382	27	352	32
One Call-£50	261	21½	287	33½	403	29	342	31
Over £50-£100	138	11½	124	14½	149	10½	128	11½
" £100-£150	84	7	76	9	76	5½	60	5½
" £150-£200	64	5½	48	5½	54	4	55	5
" £200-£250	44	3½	46	5½	54	4	38	3
" £250-£300	54	4½	25	3	31	2	32	3
" £300-£350	37	3	20	2½	34	2½	22	2
" £350-£400	28	2	16	2	30	2	9	
" £400-£450	30	2½	11	1	22	1½	11	
" £450-£500	28	2	7	1	19	1½	13	
" £500-£550	26	2	10	1	23	1½	8	
" £550-£600	19	1½	4		18	1½	9	
" £600-£650	15	1½	2		16	1	5	
" £650-£700	16	1½	5		12		5	
" £700-£750	15	1½	7		10		3	
" £750-£800	15	1½	6		6		3	
" £800-£850	16	1½	2	3½	7		4	
" £850-£900	17	1½	1		11		3	
" £900-£950	11	1	2		8		1	
" £950-£1000	17	1½	—		10		—	
" £1000-£1050	7		1		3		1	
" £1050-£1100	5				3		—	
" £1100-£1150	6				7		—	
" £1150-£1200	2				1		1	
" £1200-£1250	3				2		—	
" £1250-£1300	3				2	6½	1	
" £1300-£1350	2	3			3			
" £1350-£1400	2				2			
" £1400-£1450	4				1			
" £1450-£1500	1				2			
" £1550-£1600	2				2			
" £1600-£1650	1				—			
" £1750-£1800	1				2			
" £1800-£1850					1			
" £1950-£2000					1			
	1203	100%	857	100%	1407	100%	1106	100%
Total Number of Calls All Artists ... 1964/5 68,095					1965/6 50,615			
(including non members of FAA)								
	Men	Women	Total		Men	Women	Total	
Gross Fee Earned by FAA Artists	£276,600	£97,400	£374,000		£224,400	£103,500	£327,900	
Average Earnings	£230	£114			£159	£93		

MINISTRY OF LABOUR

Report of a Committee of Investigation into
a difference between the Film Artists' Association
and the Film Production Association of Great Britain
over the operation of the employment agency for
crowd artistes known as Central Castings Limited.



LONDON

HER MAJESTY'S STATIONERY OFFICE

1967

MINUTE OF APPOINTMENT

WHEREAS by the Conciliation Act 1896, the Minister of Labour is empowered to inquire into the causes and circumstances of a difference that exists or is apprehended between an employer, or any class of employers, and workmen, or between different classes of workmen;

AND WHEREAS a difference exists between members of the Film Artistes' Association on the one hand, and the British Film Producers' Association and the Federation of British Film Makers on the other, over the operation of the employment agency for crowd artistes known as Central Castings Agency;

NOW THEREFORE the Minister of Labour, by virtue of the said Act hereby appoints a Committee of Investigation consisting of Mr. B. M. Evans, O.B.E., to inquire into the causes and circumstances of the difference with particular reference to the machinery whereby the engagement of crowd artistes is effected; and to report;

AND the Minister further appoints Mr. D. J. Sullivan and Mr. R. I. Armitage to be the Secretaries to the Committee.

SIGNED by order of the Minister of Labour this 1st day of December 1966.

C. F. HERON,
Under Secretary,
Ministry of Labour.